

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Broadcast Localism) MB Docket No. 04-233
)

To: The Office of the Secretary
Attention: The Commission
ELECTRONIC FILING

COMMENTS OF MILLER COMMUNICATIONS, INC.
ON REPORT ON BROADCAST LOCALISM
AND NOTICE OF PROPOSED RULEMAKING

My name is Harold T. Miller, Jr., and I am president of Miller Communications, Inc. (“MCI”), licensee of thirteen (13) radio stations that serve markets near Florence, Sumter and Orangeburg, South Carolina. I usually communicate with the Commission through my attorney, but I am so passionate about what the Commission proposes that I have convinced him to let me tell my story in my own words.

I am deeply concerned about the FCC adopting its “**Report on Broadcast Localism and Notice of Proposed Rulemaking**” in MB Docket No. 04-233 (“NPRM”). This action is attempting to revive a number of costly and antiquated regulations that were discredited as costly, dated and repealed from the FCC rules years ago. This latest FCC action takes the broadcasting industry backward and into a covered wagon era, complete with a mule team, plummeting in a regulatory free fall deep into the past spinning into a FCC time warp. We are now going to take the industry backward into rules and regulations discarded many years ago for their antiquation, burdensome to operation and completely unnecessary.

I am a life long broadcaster, a former president of the South Carolina Broadcasters Association, who loves this industry and is deeply troubled by the negative impact this ruling would have upon the broadcasting industry and encompassing every broadcaster across this great nation, especially the small market broadcasters! I find the following FCC proposal very misguided, bizarre and totally out of touch with the operation of the broadcasting industry. I find it shocking and almost impossible to believe that the FCC actually authored these proposals. This totally flies in the face of complete reversal of broadcasting reality, against utilization of today's modern technology, today's broadcasting environment, handcuffing our industry behind our competitors as they lunge light years ahead with new technology while holding the regulated broadcaster at bay, actually encumbering their ability to compete and do job one, **“serving the public interest!”**

It is no secret; the broadcast industry is absolutely going through one of the all time hardest-hitting economic periods right now. I would think the FCC would be a white knight, a champion or even compassionate. One would think the FCC would be very concerned to help the very industry they regulate and help save the very industry their livelihood and employment is founded upon, broadcasting! It almost appears, the FCC is trying to further harm the industry and completely turn their back on the reality of the mammoth issues facing our nation's broadcasters. I would certainly think, when the chips are down, the Federal Government should not be pouring more salt on the already wounded industry. Due to the current state of the US economy and all of the absolute blatant news that surround our current state of affairs, this industry is suffering right now along with many other US businesses! Where is the FCC when you really need them? Why can't the FCC act like the Federal Reserve or any other Federal Agency who is sensitive and comes to the aid of the very industry they regulate, can they even see or hear what is happening outside the DC beltway?

This current board of FCC commissioners, I presume, must be **very good people** who are receiving some very bad advice. They cannot be in touch with mainstream Broadcasting in America and the US broadcast industry, if so they would have never proposed this kind of antiquated, damaging and costly foolishness. I cannot believe these learned commissioners would want to carry a legacy of responsibility for this kind of carnage and damage of this kind of mammoth proportion they are about to release upon the broadcast industry. They are single handedly getting ready to do more damage to the US Broadcasting industry than any other one single event in this industry's history!

I would recommend they take a **very strong** look at the sources they are receiving their information from and dig very deep in their souls before they act! Have any of our FCC commissioners ever operated or managed a radio or TV station, do they even realize what impact this will have on these facilities? Do they even realize the clear and brightly illuminated harm these crazy ideas will cause? I would invite them to visit Sumter, South Carolina, and view what is really happening in a rural environment of the broadcast industry and how hard operation really is. While the FCC's NPRM touches on many topics, listed below are a number of proposals on which the FCC is seeking comment that concern me:

Proposal to require that main studios be physically located in a station's community of license.

Using just ONE of the six Sumter, South Carolina, MCI, consolidated stations as an example, this would mean WIBZ, Wedgefield, SC would have to move back to Wedgefield, SC (ONE STORE AND ONE POST OFFICE).

This would break up the six stations that have been consolidated in a cluster at 51 Commerce Street in downtown Sumter, find space for an office to rent in Wedgefield,

man a 24 hour office/studio in Wedgefield, SC (on the edge of the US Air Force Bombing Range with only 2 buildings in the town), pay an engineer to tear out the studio in Sumter and wire a studio in Wedgefield, re-route all the station's microwave equipment, hire personnel to be in Wedgefield 24 hours a day, costing the stations thousands of unnecessary dollars. This will take an employee from our consolidated facility who does multiple tasks and works across many of our stations. Why would the FCC allow this now, years later, especially after we have spent all of the money to move all our stations over the years? Now they are going to tell us to move everything back to these cities?

Proposal to eliminate unattended operation of broadcast stations.

Stations can be accessed remotely just as the US Air Force can fly drones by remote control all over the world, NASA can cut the power of the shuttle over China and land the Space Shuttle perfectly in Florida by remote control with NO power. To apply the FCC's logic, we would have people sitting in satellites orbiting the earth to make sure they stay in space. Technology allows any station to take direct control from any place on earth with a simple telephone 24/7, an attendant is totally unnecessary from an emergency communications standpoint. Certain protocols can be in place to insure that emergency management authorities, including fire and police, can quickly have pertinent emergency information broadcast on any station at any time. The National Weather Service can break into programming with an alert; so could the local Sheriff, for example, with simple cell phone technology!

When Hurricane Hugo hit South Carolina, we operated our stations as long as we could stay up under absolutely unbelievable adverse conditions. We broadcast from our consolidated central location that was safe and housed the necessary technology to do the job. Can you imagine if we were split up without multiple

people helping each other in a giant emergency of that magnitude? It is perfectly obvious the FCC has no idea about HURRICANES and how separating stations would be further disaster added to the disaster! We want to save lives and protect the public interest by using the consolidated power of a broadcast TEAM, a proven method that works, a central location or communications command center that is safe and effective, a broadcast consolidated clearing house for central information, public officials and staff that can continuously operate from one location AS A TEAM, to give support to the communities and serve the critical public interest. Not individual studios with staff strung out all over the region, this would be insane and dangerous to the employees! This method has proven itself time after time in Hurricanes, Ice Storms and Numerous Emergencies! THIS LEADING EDGE AND SUPERIOR CONSOLIDATED EMERGENCY BROADCASTING METHOD THAT HAS BEEN PROVEN TO BETTER SERVE THE PUBLIC INTEREST ON A MULTIPLE STATION PLATFORM IS EFFECTIVE, PROVEN, LEADING EDGE, SAFE, SAVES LIVES AND MOST OF ALL, BETTER SERVES THE PUBLIC INTEREST !

Proposal to establish minimum programming requirements for processing license renewal applications.

In another reversion to an earlier time, the FCC is proposing to require that stations air certain amounts of government “preferred” programming in order to be ensured a smooth license renewal. The government should allow broadcasters to program their own stations using their own judgment. If the programming is NO GOOD, NO ONE WILL LISTEN AND THE STATION WILL FAIL! LET THE FREE MARKET PLACE PREVAIL, FREEDOM OF SPEECH RING AND COMPETITION THRIVE. THIS IS WHAT MADE THE USA GREAT,

COMPETITION, NOT MANDATES! THE DAY YOU FORGET ABOUT WHERE YOU ARE LICENSED IS THE DAY YOU SHOULD STOP CALLING YOURSELF A BROADCASTER! *You cannot be successful not serving your community!*

Proposal to mandate permanent Community Advisory Boards.

The FCC is proposing that stations convene “permanent” community advisory boards “comprised of local officials and other community leaders, to periodically advise [stations] of local needs and issues.” The FCC does not realize the community work that stations are currently putting into their communities and work side by side with local officials. This is disturbing, as I have personal knowledge of the loyalty, care and deep concern that the SC broadcasters (Radio and TV), the South Carolina Broadcasters Association and its numerous members have for the good of South Carolina, its communities and people. It disturbs me that the FCC does not have this same knowledge and it is charged in regulating this industry.

To show the FCC what type community oriented programming this broadcaster associated itself with, here are just three examples-

CHAMBER OF COMMERCE RED CARPET BREAKFAST –This is an opportunity for the citizenship to attend a breakfast sponsored by the Sumter Chamber of Commerce where the complete local Legislative Delegation meets with Public and address all local concerns, answers the public’s questions and spends time among the people. **WDXY-AM and W290AY (105.9FM Translator)** broadcast this event in its entirety. This gives the public who cannot attend this breakfast the opportunity to hear the event and the

concerns of the community. Our morning community personalities are live on location, where individuals are interviewed prior to the program and also post program.

MCI, licensee of WDXY, believes this event creates communications directly between the public and their local representatives. In addition, it informs the public of current events, needs, legislation, positions on issues, and community projects that are on going by lawmakers. We feel that the local public interest is directly served in a manor that is not normally heard on the radio, a long form complete meeting of community oriented issues and answers from local elected officials.

We have a long history of over seven (7) years of broadcasting this event.

LOCAL RADIO TOWN HALL MEETINGS –

WDXY & (W290AY 105.9 Translator)

During the recent Presidential Primaries, Sumter, SC was visited by four Presidential candidates - Fred Thompson, Mike Huckabee, John McCain, and Barack Obama. MCI hosted or carried in its entirety the complete events. Although the candidates played to packed audiences, this live broadcast of the entire events gave the citizenship that could not attend a way to listen to the event and also help them establish their opinion in the 2008 Presidential Primaries.

These events were not sponsored and were carried without commercial interruption. The time was totally donated by MCI for service and response to the public interest.

SUMTER CHRISTMAS PARADE-

WDXY-AM and Translator W290AY 105.9

Local public officials from the City of Sumter in conjunction with Downtown Revitalization, asked for MCI to broadcast live the 2007 Sumter Christmas Parade. Miller, at first thinking that broadcasting and describing a parade on the radio might be little awkward, accepted in the name of community service and assigned two announcers to the event. To MCI management's surprise, the two announcers, SC House Member Grady Brown and Local Morning Show Talent Susan Trautsch, did a remarkable job of describing the parade on the radio. In fact, they were so descriptive and well versed. The event was a raging success. The City Officials were happy and the parade was packed with attendees and the radio station certainly was once again used in the public interest, mentioning many of the local citizens names who were in the parade, civic organizations, government agencies, churches, charities and even old Santa Claus. This was an exceptional event for the station. We serve more of the public interest in this one event than we did anywhere else!

Proposal concerning disclosure of national playlists.

The NPRM seeks comments on whether the FCC should require stations to provide data regarding their airing of local artists and how their play lists are compiled. This information would then be considered in the context of that station's license renewal application in evaluating the station's performance with regard to localism.

This is NOT any of the FCC's business. Once again the proper audience is important and the most people you can get to listen to your station. Local bands are important but

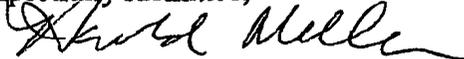
specific to certain hours or shows but the FCC must understand that there is a very small audience for these type shows.

MCI would have no problem working with local artists at certain times of the week but objects to a government mandate. If we cannot get the audience or the sponsors are we to donate the time while our audience tune in our competitor? We work hard for our audience, I don't think it is fair if the government makes us drive them away as what the FCC perceive as a "good idea". Can you imagine if I would compile a list of musical compositions known as "South Carolina Regional Beach Music" that should be played in Washington, DC, just because a beach music band is popular there and simply complained about no radio access. This is totally out of line and unrealistic to the over all large audience demands. A station that is not programming material that people do not want to hear will not be listened to!

While foreign countries and other industries are surpassing us in technology, the FCC wants to pull us back. When someone in our industry does something right, we never hear from the FCC; but when one broadcaster does something wrong, we are all punished.

Please consider this Proposed Rulemaking as one of the most dangerous threats to broadcasting I have seen since the invention of the radio. I do not want to be disrespectful but I would invite all the Commissioners to South Carolina, not for an angry venting, but to get a real first hand look at running the real thing and how hard plus expensive it really is to "SERVE THE PUBLIC INTEREST" AND MAKE A PROFIT SO YOU CAN CONTINUE TO SERVE THE PUBLIC INTEREST!!! IF YOU ARE BROKE YOU CANNOT SERVE ANYONE!

Respectfully submitted,



Harold T. Miller, Jr.
President
Miller Communications, Inc.

April 28, 2008